may be obtained not otherwise obtainable, where there is no cutting or removal of any limb or organ, and the incision is properly closed and not visible when the body is clothed, does not infringe this right. Rushing *v.* Medical College of Georgia, 62 S. E. 563.

Repudiation of Judgment of Divorce.—In Bledsoe *v.* Seaman, 95 Pacific Reporter, 576, plaintiff sues for the alienation of the affections of a man from whom she has been divorced for seven years. Plaintiff's husband abandoned her, took up his residence in South Dakota for the purpose of obtaining a divorce, and thereafter lived in adultery with defendant. When an action for divorce was commenced by the husband, plaintiff appeared, obtained a divorce, the custody of their child and alimony. Plaintiff contends that as her husband was never a bona fide resident of South Dakota, that court had not acquired jurisdiction. The Supreme Court of Kansas holds that a party having obtained the relief desired, cannot repudiate the action of the court on the ground that it was without jurisdiction, and that when plaintiff procured the divorce the defendant, having knowledge thereof, had a right to assume that plaintiff no longer had or claimed any right to the affections or society of her former husband.

Dog as a Nuisance.—In McKinny *v.* Browning, 110 New York Supplement, 562, defendant engaged an apartment for a year, held over for six months at the expiration of his lease, and then abandoned the premises. In the ensuing action to recover rent for the remainder of the year, defendant showed that the family which resided immediately above him maintained a dog, which, when deserted at intervals by his fanciers, awoke the echoes by exerting all his canine ingenuity in vociferous, discordant lamentation, which defendant contended constituted a nuisance and an eviction. The Supreme Court of New York held the defense without merit as it is not a nuisance as a matter of law to keep a dog, and, if defendant's fellow tenants permitted their dog to become one, the remedy was against them. But see Herring *v.* Welton, 13 Va. Law Reg. 921.

Res Ipsa Loquitur.—The Supreme Court of Washington, in Anderson *v.* McCarthy Dry Goods Co., 95 Pacific Reporter, 345, recently passed on the application of the doctrine of res ipsa loquitur in an action for injuries caused by the fall of a basket from the overhead carrier system in a store. The only facts proven by plaintiff were that, while a customer at defendant's store, the basket was precipitated on her, causing the injuries of which she complained. The court held that while the doctrine of res ipsa loquitur should be sparingly invoked, yet the case should have been submitted to the jury, thus reversing a judgment of nonsuit in the lower court.